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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/631,993	07/30/2003	Michael R. Hatch	R1055R.C1 2371	
	7590 09/01/200 GITAL TECHNOLOG	EXAMINER		
ATTN: LESLE 20511 LAKE F	Y NING	KLIMOWICZ, WILLIAM JOSEPH		
E-118G	OKEST DK.	ART UNIT	PAPER NUMBER	
LAKE FORES'	Г, СА 92630	2627		
		MAIL DATE	DELIVERY MODE	
			09/01/2009	PAPER

## Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Commence		Applicat	ion No.	Applicant(s)				
		10/631,9	993	HATCH ET AL.				
Office Action Summary			er	Art Unit				
			l. Klimowicz	2627				
The MAILI Period for Reply	NG DATE of this commun	ication appears on ti	ne cover sheet with the	correspondence ad	idress			
WHICHEVER IS  - Extensions of time ma after SIX (6) MONTH:  - If NO period for reply - Failure to reply within Any reply received by	STATUTORY PERIOD FOR LONGER, FROM THE May be available under the provisions of from the mailing date of this commiss specified above, the maximum state set or extended period for reply the Office later than three months a dijustment. See 37 CFR 1.704(b).	AILING DATE OF T of 37 CFR 1.136(a). In no equinication. atutory period will apply and will, by statute, cause the approximation.	THIS COMMUNICATIOn the control of th	N. mely filed n the mailing date of this c ED (35 U.S.C. § 133).	•			
Status								
1) Responsive	e to communication(s) file	d on 26 Santamber	2008					
· <u> </u>		2b)⊡ This action is						
<u>~</u>	This action is <b>FINAL</b> . 2b) This action is non-final.  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is							
<i>,</i> —	closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
0,0000 111 0	obordanos with the practi	oo anaon Ex parto a	adyle, 1000 0.B. 11, 1	00 0.0. 210.				
Disposition of Clain	ns							
4)⊠ Claim(s) <u>1,</u>	I)⊠ Claim(s) <u>1,2 and 6-24</u> is/are pending in the application.							
4a) Of the a	4a) Of the above claim(s) is/are withdrawn from consideration.							
5)⊠ Claim(s) <u>1,</u>	5)⊠ Claim(s) <u>1,2 and 6-24</u> is/are allowed.							
6)□ Claim(s) _	6) Claim(s) is/are rejected.							
7)	is/are objected to.							
8) <u></u> Claim(s)	are subject to restric	tion and/or election	requirement.					
Application Papers								
9)☐ The specific	cation is objected to by the	e Examiner						
	9) The specification is objected to by the Examiner. 10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.							
·	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
• •		<del>-</del>		* *	FR 1.121(d).			
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.								
Priority under 35 U.	•	,						
<u>-</u>	_	f f i		.) (4) (5)				
	gment is made of a claim	for foreign priority u	nder 35 U.S.C. § 119(a	i)-(a) or (ī).				
	Some * c) None of:	documento have be	on received					
	fied copies of the priority			tion No				
	fied copies of the priority				1.04			
•	es of the certified copies	•		ed in this National	Stage			
application from the International Bureau (PCT Rule 17.2(a)).								
* See the attached detailed Office action for a list of the certified copies not received.								
Attachment(s)								
1) Notice of Reference			4) Interview Summar					
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO/SB/08)  Paper No(s)/Mail Date  5) Notice of Informal Patent Application								
<ol> <li>Information Disclosing Paper No(s)/Mail Date</li> </ol>			6) Other:	acont Application				

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Art Unit: 2627

Supplemental Ex Parte Quayle

This application is in condition for allowance except for the following formal matters:

(I) Applicants must submit a supplemental oath or declaration prior to allowance in order

to cover amendment filed 9/26/08 stating "Every error in the patent which was not corrected in

the present reissue application, and which is not covered by the prior oath(s) and/or

declaration(s) submitted in this application, arose without any deceptive intention on the part of

the applicant."

(II) Amendments filed 2/13/06 and 9/26/08 are improper since it is not in compliance

with 37 CFR 1.173. All subject matter being added to an original patent claim must be

underlined, and all subject matter being deleted from an original patent claim must be placed

between brackets. Also newly added claims must be underlined in their entirety

(III) All related CONT (i.e. at least 08/662,885 and 08/662,528) should have been cross

reference in the specification since this serves as a notification to the public that more than 1

reissue may replace the single original patent. Since these 2 reissue applications have already

issued, a certificate of correction adding the necessary cross reference must be issued in the other

2 cases.

Conclusion

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 25 USPQ 74, 453 O.G. 213, (Comm'r Pat. 1935).

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William J. Klimowicz whose telephone number is (571) 272-7577. The examiner can normally be reached on Monday-Friday (7:30AM-6:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.